

1 LINDSAY ANNE WESTON #73132
2 P.O. Box 74310
3 Davis, CA 95617
530-304-0873
lawweston@sbcglobal.net

4 Attorney for Defendant THY CHANN

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6 UNITED STATES DISTRICT COURT
7
8 FOR THE EASTERN DISTRICT OF CALIFORNIA

9 UNITED STATES OF AMERICA,
10 Plaintiff,
11 vs.
12 THY CHANN,
13 Defendant/Movant

Case No.: 2:99-CR-00433 WBS-AC

STIPULATION AND ORDER TO
CONTINUE SENTENCING OF THY
CHANN TO OCTOBER 26, 2020

15 The parties to this action, Defendant THY CHANN, by and through appointed
16 counsel, Lindsay Weston, and Plaintiff United States of America, by and through its attorney of
17 record, McGregor W. Scott, United States Attorney, and Jason Hitt, Assistant United States
18 Attorney, stipulate and request this Court order the sentencing in this matter currently set for
19 September 14, 2020, in this Courtroom, reset to October 26, 2020, at 9:00 a.m. ECF 1861.

21 The request to continue the sentencing from September 14, 2020, to October 26,
22 2020, at 9:00 a.m. is made by defendant, THY CHANN. Undersigned counsel, Lindsay Weston,
23 in the factual basis related below, represents that a continuation of the sentencing is required to
24 allow defendant sufficient time to provide necessary information to Probation Officer Julie
25 Besabe for the preparation of a Presentence Report.

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28 STIPULATION AND ORDER TO CONTINUE SENTENCING OF THY CHANN TO OCTOBER 26, 2020 - 1

1 Undersigned counsel Weston represents that she spoke with Thy Chann by phone
2 on July 14, 2020 and he is not opposed to a continuance of the sentencing. Undersigned counsel
3 Weston represents that some documents necessary to the defense are not available through online
4 filing and must be obtained through Probation archives which, because of health measures in
5 place for COVID-19, are not currently accessible. Further, Mr. Chann has provided undersigned
6 defense counsel with a large number of documents which need to be synopsized for presentation
7 to Probation in order to conduct a full telephone interview with Mr. Chann and for possible
8 inclusion in the Presentence Report. Probation Officer Julie Besabe is not opposed to this request
9 for a continuance.

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12 The parties further request that this Court, aside from setting a new sentencing
13 date, adopt the Schedule for preparation and disclosure of the Presentence Report contained in
14 the accompanying [Proposed] Order.

15 Dated: July 21, 2020

/s/ *LINDSAY WESTON*

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17 LINDSAY WESTON
Attorney for Thy Chann

18 Dated: July 21, 2020

/s/ *JASON HITT*

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20 JASON HITT
Assistant United States Attorney

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2 **ORDER**
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4 The Court, having received, read and considered the Stipulation of the parties, and
5 good cause appearing therefrom, adopts the Stipulation of the parties as its Order.
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7 It is further Ordered that the Judgement and Sentencing is now set for October 26,
8 2020 at 9:00 a.m. in Courtroom 5 and that further the parties shall comply with Disclosure and
9 Objections to the Presentence Report as follows:
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Draft Presentence Report disclosed by:	September 14, 2020
Parties written objection to draft PSR by:	September 28, 2020
Presentence Report filed and disclosed by:	October 5, 2020
Formal Objections to PSR filed by:	October 12, 2020
Reply or Statement of Non-Opposition by:	October 19, 2020.

11 IT IS SO ORDERED.
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13 Dated: July 23, 2020


14 William B. Shubb
15 WILLIAM B. SHUBB
16 UNITED STATES DISTRICT JUDGE
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